THE VICE-CHAIRMAN (SHRI NILOTPAL BASU) : Because of that I announced that if you had any objection, at that point of time you could have pointed out, "No, we are not going to discuss it today." I think, Mr. Minister, you, please, make the statement, and then we will carry on with the discussion. ...*(Interruptions)*... That is what I am suggesting. ...*(Interruptions)*... Just a minute. If you want to seek the clarifications first, I have no problem. But, then, we will have to sit late in the evening to discuss and conclude this Bill.

SHRI K. RAHMAN KHAN: Sir, clarifications can be sought tomorrow. ...*(Interruptions)*...

SHRI PRAMOD MAHAJAN : Sir, if they want to seek clarifications now, then my Minister will make a statement before the House rises.

THE VICE-CHAIRMAN (SHRI NILOTPAL BASU): No, no; you don't understand this. What we have discussed and decided is that he can make the statement now and, subsequently, tomorrow or a day after tomorrow, whenever it is convenient to the House, he can give a reply.

STATEMENT BY MINISTER

Situation in the All India Institute of Medical Sciences, New Delhi

THE MINISTER OF HEALTH AND FAMILY WELFARE (DR. C.P. THAKUR): Sir, the health care services in the All India Institute of Medical Sciences were affected since 22nd August, 2001 due to an agitation by the Resident Doctors' Association and the Karamchari Union of the Institute, following an incident in which some employees of the Union and Resident Doctors were involved. The OPD services and casualty had been affected during the period between 22nd and 27th August, 2001. However, the indoor patients were looked after by the faculty. The Institute had also prepared a contingency plan to ensure maintenance of essential services and support system for patient care, and all vital installations were guarded.

A Committee under the Chairmanship of Dr. H.K. Tiwari inquired into the incident which occurred on the 22nd August, 2001. On submission of the inquiry report, AIIMS issued suspension orders in respect of five employees. Also, the services of eight temporary-status employees were terminated for their misconduct during the period of agitation.

During the period between 22nd to 27th August, 2001, the AIIMS administration held several meetings with the Resident Doctors' Association (RDA) and the Karamchari Union to resolve the issue. A Division Bench of hon. Delhi High Court took *suo motu* notice of the strike by doctors and employees of AIIMS and the situation created on account of such a strike. In an order issued on 27th August, 2001, the hon. Court directed the Secretary, Ministry of Health and Family Welfare and the Director, AIIMS, to take necessary steps and ensure that normalcy in services is restored within a period of 36 hours. The RDA and Karamchari Union have since unconditionally withdrawn the strike. All the units in the Institute are now functioning and the health care services have returned to normalcy.

THE VICE-CHAIRMAN (SHRI NILOTPAL BASU): Now, we will continue with the Protection of Plant Varieties and Farmers' Rights Bill, 2001. Dr. Biplab Dasgupta.

THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS BILL, 2001 - *Contd.*

DR. BIPLAB DASGUPTA : Sir, I was a Member of the Joint Parliamentary Committee which discussed this Bill. I admit that there was some qualitative difference between the Bill into which the JPC went and the Bill which had gone out of the JPC. There was some improvement in the Bill. However, the Bill is not good enough for me to accept it fully. Dr. Kidwai has already expressed his sentiments. From the BJP side also one Member spoke. The general position is that there are some problems in the Bill, which should have been looked into, but have not been looked into by the Government.

The first problem is that this is an agricultural Bill. As far as agriculture is concerned, what does our Constitution say? It is very categorically stated under the Seventh Schedule in clause 14 of the State List: agriculture, including agricultural education and research, protection against pests and prevention of plant diseases. These are the subjects which are given to the States. If you look at article 246 of the Constitution, you will find that only the State Legislatures can legislate laws on these subjects. It is not within the competence of the Indian Government to legislate on the issue of agriculture or on the issue of plant varieties. But under certain circumstances you can legislate here on State subjects. If there is an emergency, it can be done. If it is in the national interest, for